

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

MONROE B. RANDLE

PLAINTIFF

v.

No. 4:09CV27-P-A

JAMES WILLIAMS, ET AL,

DEFENDANTS

ORDER

This matter is before the court, *sua sponte*, for consideration of dismissal. The prisoner plaintiff has submitted a complaint which he wishes to file pursuant to 42 U.S.C. § 1983. The complaint alleges that various defendants violated his First Amendment right to freedom of expression.

The Prison Litigation Reform Act was enacted in April 1996. This Act provides, *inter alia*, at 28 U.S.C. § 1915(g)

In no event shall a prisoner bring a civil action or appeal a judgment in a civil action or proceeding under this section if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

On February 22, 2002, this court dismissed *Randle v. Scott*, 4:01CV168-D-B for failure to state a claim upon which relief could be granted. On November 22, 1999, this court dismissed *Randle v. Maples*, 4:99CV95-P-B as frivolous. Finally, the United States District Court for the Southern District of Mississippi dismissed *Randle v. Miss. State Parole Bd.*, 3:07CV313-JCS as frivolous on March 24, 2009. The plaintiff has accumulated three strikes and has been an abuser of his in forma pauperis privileges. Consequently, it is hereby **ORDERED:**

- (1) The plaintiff is **BARRED** under 28 U.S.C. § 1915(g) from filing any future *pro se in forma pauperis* complaints without permission of one of the judges of the court;
- (2) The plaintiff's motion to proceed *in forma pauperis* is hereby **DENIED**;
- (3) In light of this order, the plaintiff's motions [3], [7], [8] to amend his complaint are hereby **DENIED**;
- (4) The deadline for the plaintiff to pay the entire \$350.00 filing fee for this case into the court expires **20 days from the date of this order**;
- (5) If the plaintiff has not paid the filing fee into the court by **30 days from the date of this order** (which allows ten days for mailing), then the Clerk of the Court is directed to **CLOSE** this case without further action from the court.

This, the 9th day of June, 2009.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE